

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

ROGER J. HALL

Plaintiff,

v.

BED BATH & BEYOND INC., et al.

Defendants.

Case No. 1:10-CV004391

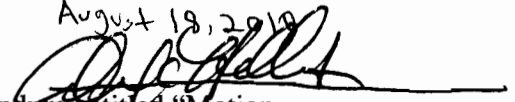
Judge Alvin K. Hellerstein

NOTICE OF MOTION

To: Mitchell C. Shelowitz (mshelowitz@salaws.com)  
Darya Dominova (ddominova@salaws.com)  
Shelowitz & Associates  
450 Seventh Avenue, 6<sup>th</sup> Floor  
New York, NY 10123

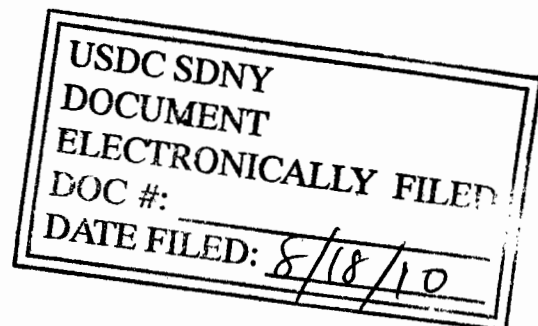
*Motion denied without  
prejudice. It may be renewed  
upon resolution of plaintiff's  
claims if baselessness can  
then be shown.*

*August 18, 2010*



PLEASE TAKE NOTICE that upon the accompanying memorandum entitled "Motion

for Sanctions," with Exhibits A-P thereto, Defendant WestPoint Home, Inc., by its counsel Loeb & Loeb LLP, will move this Court, before the Hon. Alvin K. Hellerstein at the U.S. District Courthouse, 500 Pearl Street, New York, New York 10007, as soon as counsel can be heard, for an order for sanctions against Plaintiff and his counsel pursuant to Rule 11 of the Federal Rules of Civil Procedure. Oral argument will be held on a date and at a time designated by the Court.



PLEASE TAKE FURTHER NOTICE that pursuant to Section 6.1(b) of the Local Rules of the U.S. District Courts for the Southern and Eastern Districts of New York, opposition papers shall be filed and served by August 6, 2010, and reply papers shall be filed and served seven (7) days after service of the opposition papers.

Dated: July 23, 2010

By: /s/Alison Schwartz

Alison Schwartz

Jordan A. Sigale (admitted *pro hac vice*)

Adam G. Kelly (admitted *pro hac vice*)

Alison Pollock Schwartz (admitted *pro hac vice*)

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